

Please type a plus sign (+) inside this box [+] A

PTO/SB/05 (11-00)

Approved for use through 10/31/2002. OMB 0651-0032

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

UTILITY PATENT APPLICATION TRANSMITTAL
(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No. 004524.P031
(maximum 12 characters)

First Named Inventor Eric L. Upton

Title: WINDOW-MOUNTED POSITIONABLE COLLECTOR

Express Mail Label No. EL429888098US

J1046 U.S. PTO
09/005656
03/13/01

ADDRESS TO: Assistant Commissioner for Patents
Box Patent Application
Washington, D. C. 20231

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

1. Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original, and a duplicate for fee processing)
2. Applicant Claims Small Entity Status. (37 CFR 1.27)
3. Specification (Total Pages 28)
(preferred arrangement set forth below)
 - Descriptive Title of the Invention
 - Cross Reference to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Reference sequence listing, a table,
or a computer program listing appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
4. Drawings(s) (35 USC 113) (Total Sheets 8)
5. Oath or Declaration (Total Pages 5)
 - a. Newly Executed (Original or Copy)
 - b. Copy from a Prior Application (37 CFR 1.63(d))
(for Continuation/Divisional with Box 17 completed)
 - i. DELETIONS OF INVENTOR(S) Signed statement attached deleting
inventor(s) named in the prior application, see 37 CFR 1.63(d)(2)
and 1.33(b).
 - c. Unsigned.
6. Application Data Sheet. (37 CFR 1.76)
7. CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission
(if applicable, all necessary)
 - a. Computer Readable Form (CRF)
 - b. Specification Sequence Listing on:
 - i. CD-ROM or CD-R (2 copies); or
 - ii. paper
 - c. Statement verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

9. **Assignment Papers (cover sheet & documents(s))**

10. a. Separate 37 CFR 3.73(b) Statement (where there is an assignee)

10. b. Power of Attorney (signed)

11. English Translation Document (if applicable)

12. a. Information Disclosure Statement (IDS)/PTO-1449

12. b. Copies of IDS Citations

13. **Preliminary Amendment**

14. **Return Receipt Postcard (MPEP 503) (Should be specifically itemized)**

15. Certified Copy of Priority Document(s) (if foreign priority is claimed)

16. **Request and Certification under 35 U.S.C. 122(b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.**

17. Other: separate sheet with title, express mail label, copy of postcard & attorney's signature

18A. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information:

Continuation Divisional Continuation-in-part (CIP)
Of Prior Application No.: _____ Examiner _____ Group Art Unit _____

(which is a continuation/ divisional/ CIP of prior application no. _____,
which is a continuation/ divisional/ CIP of prior application no. _____) (List entire chain of priority)

For CONTINUATION AND DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

18B. Statement under 37 CFR 3.73(b) for continuing application:

The undersigned states that _____ (name of assignee) is
the assignee of the entire right, title, and interest in the accompanying patent application by virtue of an
assignment recorded in the Patent and Trademark Office at Reel. No. _____ Frame No. _____
(or a copy of which is attached).

19. Correspondence Address

Customer Number or Bar Code Label _____
or _____ (Insert Customer No. or Attach Bar Code Label here)
 Correspondence Address Below

NAME R. Alan Burnett

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

ADDRESS 12400 Wilshire Boulevard

Seventh Floor

CITY Los Angeles STATE California ZIP CODE 90025-1026

Country U.S.A. TELEPHONE (425) 827-8600 FAX (425) 827-5644

Name (PRINT/TYPE): R. Alan Burnett Registration No.: 46,149

Signature: R. Alan Burnett Date: March 13, 2001

FEE TRANSMITTAL FOR FY 2001**TOTAL AMOUNT OF PAYMENT (\$)** **\$ 750.00****Complete if Known:**

Application No. Not Yet Assigned/New Application
 Filing Date Herewith
 First Named Inventor Eric L. Upton
 Group Art Unit _____
 Examiner Name _____
 Attorney Docket No. 004524.P031

METHOD OF PAYMENT (check one)

1. The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:

Deposit Account Number 02-2666
 Deposit Account Name _____

Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

2. Payment Enclosed:
 Check
 Money Order
 Other

FEE CALCULATION**1. BASIC FILING FEE**

<u>Large Entity</u>	<u>Small Entity</u>	<u>Fee Description</u>	<u>Fee Paid</u>
Fee	Fee	Fee	Fee
Code	(\$)	Code	(\$)
101	710	201	355
106	320	206	160
107	490	207	245
108	710	208	355
114	150	214	75
		Utility application filing fee	<u>710.00</u>
		Design application filing fee	_____
		Plant filing fee	_____
		Reissue filing fee	_____
		Provisional application filing fee	_____
SUBTOTAL (1) \$ 710.00			

2. EXTRA CLAIM FEES

	<u>Extra Claims</u>	<u>Fee from below</u>	<u>Fee Paid</u>
Total Claims <u>20</u>	<u>- 20** = 0</u>	<u>X 18.00</u>	<u>= 0.00</u>
Independent Claims <u>2</u>	<u>- 3** = 0</u>	<u>X 80.00</u>	<u>= 0.00</u>
Multiple Dependent			<u>=</u>

**Or number previously paid, if greater; For Reissues, see below.

Large Entity Small Entity

<u>Fee</u>	<u>Fee</u>	<u>Fee</u>	<u>Fee</u>	<u>Fee Description</u>
Code	(\$)	Code	(\$)	
103	18	203	9	Claims in excess of 20
102	80	202	40	Independent claims in excess of 3
104	270	204	135	Multiple dependent claim, if not paid
109	80	209	40	**Reissue independent claims over original patent
110	18	210	9	**Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) \$ 0.00

FEE CALCULATION (continued)

3. ADDITIONAL FEES

<u>Large Entity</u>	<u>Small Entity</u>	<u>Fee Description</u>	<u>Fee Paid</u>
Fee Code	Fee (\$)	Fee Code (\$)	
105	130	205	65
127	50	227	25
			Surcharge - late filing fee or oath
			Surcharge - late provisional filing fee or cover sheet
139	130	139	130
147	2,520	147	2,520
112	920*	112	920*
			Non-English specification
			For filing a request for reexamination
			Requesting publication of SIR prior to Examiner action
113	1,840*	113	1,840*
			Requesting publication of SIR after Examiner action
115	110	215	55
116	390	216	195
117	890	217	445
118	1,390	218	695
128	1,890	228	945
119	310	219	155
120	310	220	155
121	270	221	135
138	1,510	138	1,510
140	110	240	55
			Petition to institute a public use proceeding
			Petition to revive unavoidably abandoned application or unavoidably delayed payment of issue fee
141	1,240	241	620
			Petition to revive unintentionally abandoned application or unintentionally delayed payment of issue fee
142	1,240	242	620
143	440	243	220
144	600	244	300
122	130	122	130
123	50	123	50
126	180	126	180
581	40	581	40
			Recording each patent assignment per property (times number of properties) 40.00
146	710	246	355
			For filing a submission after final rejection (see 37 CFR 1.129(a))
149	710	249	355
			For each additional invention to be examined (see 37 CFR 1.129(b))
179	710	279	355
169	900	169	900
			Request for Continued Examination (RCE)
			Request for expedited examination of a design application

Other fee (specify) _____

Other fee (specify) _____

SUBTOTAL (3) \$ 40.00

*Reduced by Basic Filing Fee Paid

SUBMITTED BY:

Typed or Printed Name: R. Alan Burnett

Signature: R. Alan Burnett Date: March 13, 2001

Reg. Number: 46,149 Telephone Number: (425) 827-8600

REQUEST AND CERTIFICATION UNDER 35 U.S.C. 122(b)(2)(B)(i)

First Named Inventor Eric L. Upton
Title WINDOW-MOUNTED POSITIONABLE COLLECTOR

Attorney Docket No. 004524.P031

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).

March 13, 2001

Date

R. Alan Burnett

Signature

R. Alan Burnett

Typed or Printed Name

46,149

Registration No.

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months after the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(ii)).**

Send to: Assistant Commissioner for Patents, Washington, D.C. 20231